

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
v.
ILKE L. MAMPAEY,

Case No. 6:25-po-00212-HBK-1

ORDER GRANTING DEFENDANT'S
REQUESTS FOR CONTINUANCE AND
FOR REMOTE APPEARANCE

(Doc. No. 5)

On May 1, 2025, Defendant submitted, via email, a request for a continuance and to appear remotely (via Zoom) for her initial appearance scheduled for May 14, 2025 at 1:00 p.m. (Doc. No. 5). In support, Defendant explains that she lives overseas in Belgium and only recently received the notice. (*Id.*). Defendant was issued a mandatory appearance for an alleged violation of 36 C.F.R. § 2.34(a), engaging in fighting, threatening or violent behavior. (Doc. No. 1).

Under Rule 43, with the defendant's written consent and the court's permission, a defendant may appear by video teleconference for a misdemeanor offense at the arraignment, plea, trial, and sentencing. Fed. R. Crim. P. 43(b)(2). The court has discretion to permit a party to appear by video teleconference. *United States v. Hiramanek*, 2017 WL 1349580, *2 (E.D. Cal. Apr. 6, 2017) (citing *United States v. Lange*, 963 F.2d 380, 380 (9th Cir. 1992) (unpublished)).

Given the excessive distance and cost to appear, and because an initial appearance is not a hearing where the undersigned would need to assess the relative credibility of witness testimony, *Hiramanek*, 2017 WL 1349580 at *5, the Court will grant Defendant's motion and permit her to

1 appear remotely for her initial appearance. The Court will also grant Defendant's request to
2 continue the initial appearance to June 17, 2025 at 10:00 A.M. (PST).

3 The Court further advises Defendant of the following protocols:

- 4 • To participate via Zoom, you will need a device with a microphone and camera,
5 with internet access on the same device.
- 6 • Adequate lighting and sound are required.
- 7 • You are encouraged to test Zoom before the hearing.
- 8 • The Court will not provide technical support for Zoom participants or attendees.
- 9 • During the hearing, both your video and sound should be turned on (until you are
10 told to mute yourself) and you should display your name on the video.
- 11 • Each participant will speak only when called upon.
- 12 • Appropriate attire is mandatory for any appearance in Court.
- 13 • **Use of a virtual background is prohibited.**
- 14 • You should be in quiet location indoors.

15 Accordingly, it is **ORDERED**:

- 16 1. Defendant's requests for a continuance and to appear remotely for her initial
17 appearance (Doc. No. 5) are GRANTED.
- 18 2. Defendant may appear for her continued initial appearance on June 17, 2025 at 1:00
19 P.M. (PST) via the Court's Zoom application.
- 20 3. The Clerk of Court shall provide a copy of this Order to Defendant's address of record
21 by mail and by email.

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23 Dated: May 6, 2025


24 HELENA M. BARCH-KUCHTA
25 UNITED STATES MAGISTRATE JUDGE
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